1886-067 Chancery Causes: Mary B. Wooliver vs. Jeremiah Daugherty &c
Lee Co

Roop, Baumgardner, Garrett, Bumgardner 1 Plat

CA-Estate Dispute
T-Property

To the Honorable John A. Kelly Judge of the Circuit Court of Lee County:

The Bill of Complaint of Mary B. Woolver a Citizen of Lee County Virginia humbly Complaining respectfully represents to your honor that She is a Daughter of one Luke Garrett deceased who lived and died in Lee County Virginia and who was at one time the owner of Several tracts of land lying and being in Lee County. One tract of One hundred and twenty acres more or less was Situated on the head waters of Shavers Creek in Said County and by a deed the Said Luke Garret Conveyed the 120 acre tract to Wm. Garret, John Garret, Your Oratrix then Mary Garrett and Emily Garret four of his Children. William Garret afterwards Conveyed his fourth part under Said Conveyance to James Garret and John Conveyed his part to one James Crabtree who afterwards Conveyed the Same to Said James Garret and then James Garrett Conveyed the Sand to one Henly C. Hall who Conveyed the Same to William Koop Jeremiah Daugherty and Andrew Bumgarner who own three fourths of the Said One Hundred and twenty acre tract of Land. Your Oratrix will here State that She had never Sold or Conveyed her undivided interest in Said land but about the year 1852 She married her late husband George Woolver and he then attempted to Sell her undivided fourth in Said land for the Sum of $75.00 which was less than one half its real Value.

The Said James Garrett being the pretended purchaser. But your Oratrix will here State that no Conveyance of the Same was ever executed that would pass from her the legal or equitable title to Said interest in Said land and hence She alleges that She is the legal and equitable owner of Said fourth part of Said tract of land as her Said husband departed this life about the year 1867 and She alleges that She is entitled to the fourth part of the rents and profits of Said tract and to damages for the use and occupation waste and deterioration on the Same Since the death of her Said Husband and She hereby claims the Same. She alleges further that the Said tract of land is liable to be partitioned and therefore

The object of this bill is to have the Said tract of land partitioned between your Oratrix and the other owners thereof according to their respective rights and interests in the Same and to recover from them damages for the use and occupation of her part of Said land and for waste deterioration committed thereon Since her husbands death.

And your Oratrix being without an adequate remedy at law and best relievable in a Court of Equity her prayer therefore is that the Said Wm. Koon, Jeremiah Daugherty and Andrew Bumgarner be all made the parties Defendants to this bill and that that they all be Summoned and required to answer the allegations of the Same upon their oaths and that upon a final hearing of this Cause a partition of the Said tract of land be decreed and that your Oratrix recover of the Defendants Damages for the use and occupation waste and deterioration of Said land and Such other further and general releife be extended to your Oratrix as may be Consistent with equity and justice and best Suited to her case. May the Commonwealths writ of Spa. issue directed &c.

David Miller
P. Q.

Miller

Orr Clk p 7.93 to July 1881.
Hyatt ll 3.44.

Mary B. Wooliver

vs. } Bill in Chy.

Jeremiah Daugherty
& others

Filed February 6th 1877.
Spa Exects & Decree Nisi.
1877 Nov Decree Nisi Confd & set for hearing by Pltff.
" Aug & Nov Contd
1878 Nov. Aug & Nov Contd.
1879. Nov. Aug & Nov Contd.
1880. Nov & Aug contd.
1881. Nov. Continued. Aug Contd
1882. Nov. Aug & Nov. Contd
1883 Nov. Aug, & Nov. Contd
1884. Contd 1885 - Contd
1886. Nov Decree final

Mary E Hobson Plff

vs.

Jeremiah Daugherty et al Defts

} In Chan

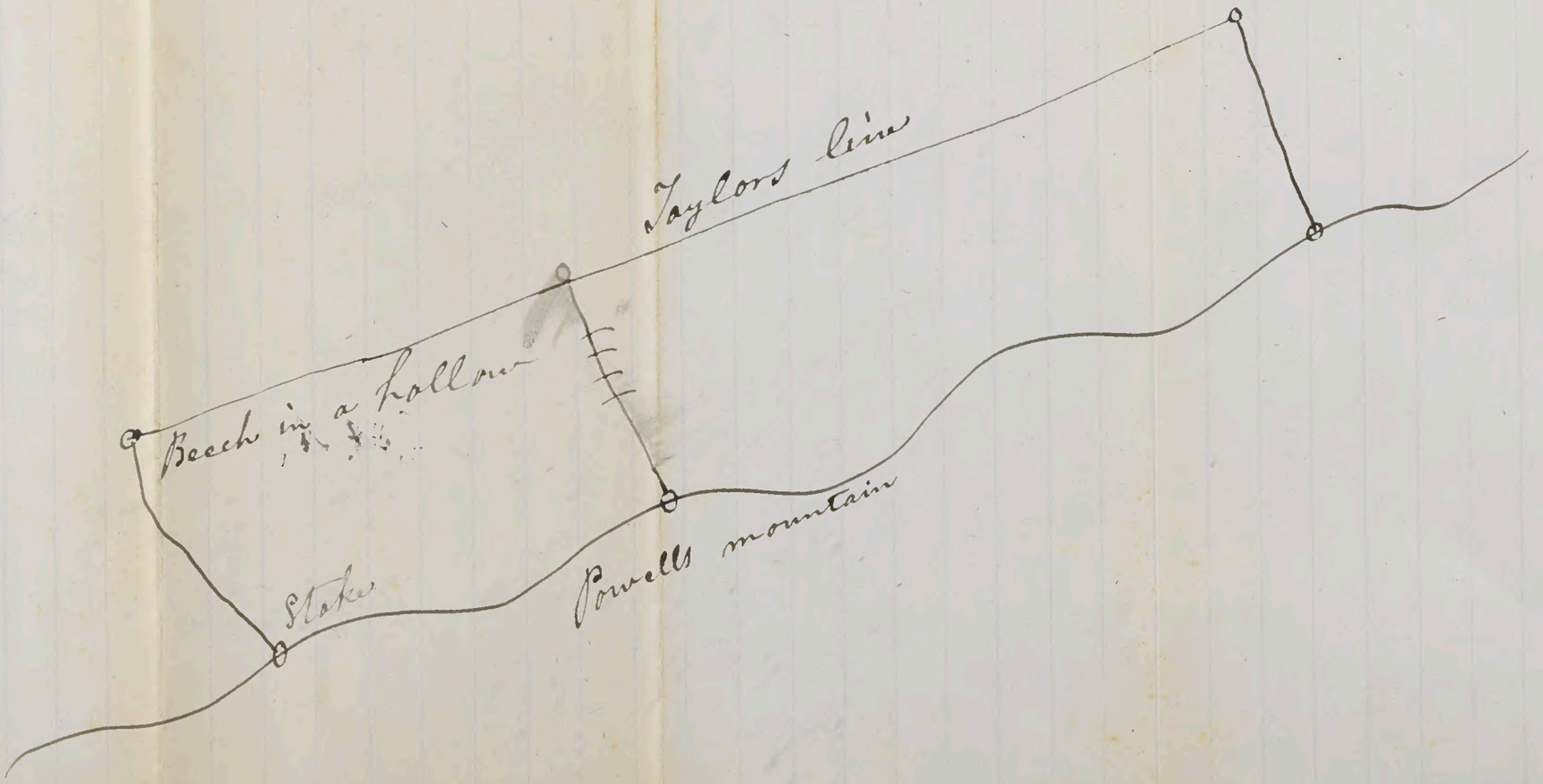
This cause this day came on to be heard upon the Bill & Supa in the cause and was argued by counsel, and it appearing to the court that this Cause has been on the docket for more than seven years without any action or other proceeding, had to continue the within said term; Thereupon on consideration of which ~~it is ordered adjudged & decreed that~~ this cause be stricken from the docket

Mary E. Hollis
vs
Jeremiah Daugherty &c.

Entered Page 498.

J. C. Gibson D. C.

Enter this dismissed
Jn. A. K.
March 25th 1886.


Taylors line
Beech in a hollow
Stake
Powells mountain

20
6
120
9
1080

30.80
29.60
28.40
27.20
26.00
24.80
23.60
22.40
212.80

Luke Garrat
Mary B. married George Woolever
Ann " George A. Crabtree
Emily " Dan. Thompson
Leah " Jeff Hedrick
Lucinda married Arch. Stewart
now res. (unknown " Tobias Smith both dead.
James Garretts heirs towit George, Becca,
Mary & Jeff. two last under 21 mary
Married Reburn Bowden
John Garrett.

Luke Garrett 120 acres To
wm. John. Mary & Emily.

Wm. Conveyed his part to James Garrett
John Conveyed his to James Crabtree
James Garrett Conveyed 5-0 acres to Henly C. Hall
George Woolsey and Mary Sell their part
to James Garrett Deed Dated Nov 2/8 1853

The Commonwealth of Virginia:

TO THE SHERIFF OF LEE COUNTY---Greeting:

WE COMMAND YOU TO SUMMON Jeremiah Daugherty, William Roop and Andrew Baumgardner

to appear before the Judge of the Circuit Court of Lee County, at the Court-House, in the Clerk's Office, at February Rules next, to answer a bill in Chancery exhibited in our said Court against them by Mary B Woolever

And have then there this writ. Witness. JAMES W. ORR, Clerk of our said court, at the Court-House, this 27th day of January 1877, in the 101st year of the Commonwealth.

James W Orr. Clerk.

27m

Mary B Woolner

vs

Spa in Cty

Jeremiah Daugherty et al

Feb Rules 1877.

Executed
Thomas J Ely D S
for Thomas J Ely S Z C